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PATENTS • TRADEMARKS • COPYRIGHTS • INTELLECTUAL PROPERTY

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OF ARGENTINA ONLY

November 9, 2005

Commissioner for Trademarks

Box TTAB - Fee

P.O. Box 1451

Alexandria, Virginia 22313-1451

Attn: Ms. Jean Brown, Administrator

Trademark Trial and Appeal Board

Re: Notice of Opposition by
Opposer: Laurice El Badry Rahme Ltd. dba Laurice & Co.
Applicant: Asprey Holdings Limited Corp.
Mark: 167 NEW BOND STREET - LONDON - (Stylized)
Serial No. 76/570,501

SIR:

Please find attached hereto, in duplicate, a Notice of Opposition being filed by Opposer, Laurice El Badry Rahme Ltd. dba Laurice & Co., against the above-referenced Application.

Our check in the amount of \$300.00, to cover the filing fee, is attached hereto. Please charge our Deposit Account No. 07-1730 for any insufficiency of funds.

Kindly acknowledge receipt of the Notice of Opposition and filing fee, by endorsing the self-addressed prepaid postcard which has been attached to the documents, and mailing it to the undersigned.

Respectfully submitted,

GOTTLIEB, RACKMAN & REISMAN, P.C.



Barbara H. Loewenthal

BHL:mr
Enclosures

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in a postage prepaid envelope addressed to: Commissioner for Trademarks, Box TTAB - Fee, P.O. Box 1451, Alexandria, Virginia 22313-1451 on November 9, 2005.

Dated: November 9, 2005


Madelin Rowland

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application No.: 76/570,501
Of the Mark: 167 NEW BOND STREET - LONDON - (Stylized)
Applicant: Asprey Holdings Limited Corporation

-----X
Laurice El Badry Rahme Ltd. dba
Laurice & Co.,

Opposer,

Opposition No.:

v.

Asprey Holdings Limited Corp.,

Applicant.
-----X

NOTICE OF OPPOSITION

Laurice El Badry Rahme Ltd., dba Laurice & Co. (hereinafter "Opposer"), through its attorneys, believing it is and will continue to be damaged by the registration of the trademark 167 NEW BOND STREET - LONDON - (Stylized) ("Applicant's Mark") of Application Serial No. 76/570,501, filed by Asprey Holdings Limited Corp. (hereinafter "Applicant"), on January 13, 2004, with a priority filing date of October 10, 2003, alleges on knowledge as to Opposer and otherwise on information and belief, as follows:

1. Opposer is a New York corporation with a principal place of business at 9 Bond Street, New York, N.Y. 10012.
2. Applicant is a corporation organized under the laws of the United Kingdom and is located and doing business at 167 New Bond Street, London W1S 4AR United Kingdom.

3. Opposer, a well known fragrance house, launched in 2002 a line of fragrances which, for the first time in fragrance history, payed homage to a great city, the City of New York. The line of fragrances, the creation of French perfume expert Laurice Rahme, is marketed and sold under the house mark and brand BOND NO. 9.

4. Opposer is the owner of trademark Registration No. 2,742,675 for BOND NO. 9.

5. Opposer is also the owner of trademark application Serial No. 76/512,252 for *Bond No. 9* and trademark application Serial No. 76/578,912 for *Bond No. 9*. The mark of the registration (BOND NO. 9) and of these applications (BOND NO. 9 NEW YORK (STYLIZED)) are hereinafter referred to as the "BOND Marks."

6. Opposer will rely on said registration and applications, as well as on its own common law rights in the marks which Opposer has adopted and used to sell its line of fragrances.

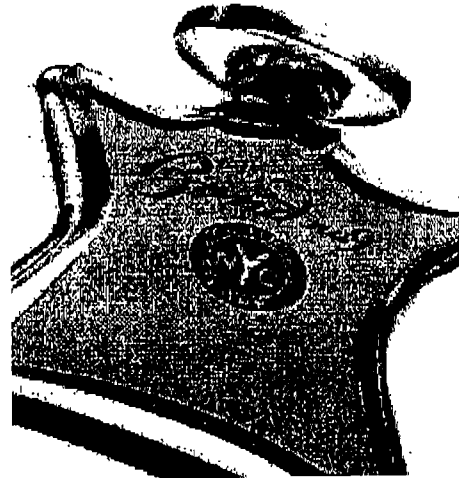
7. Each fragrance in the collection developed by Opposer represents a specific downtown, midtown or uptown locale in New York City. The BOND NO. 9 collection consists of 16 women's, men's, and unisex eau de parfums. The collection has a dual mission: to restore artistry to perfumery and to mark every New York neighborhood with a scent of its own.

8. The brand name of each of Opposer's fragrances is emblazoned on a unique circular shaped logo which appears on each fragrance bottle.

9. Opposer's signature fragrance is identified by the mark BOND NO. 9 itself. The mark appears in the following distinctive logo on the fragrance bottle:

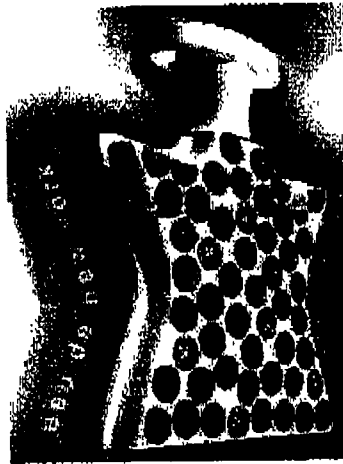


10. Each of Opposer's other fragrances are identified by distinctive logos placed on the fragrance bottles, as shown in the images reproduced below which show Opposer's RIVERSIDE DRIVE and GRAMACY PARK fragrances, respectively:



11. Each of Opposer's fragrances are identified not only by the house mark BOND NO. 9 and BOND NO. 9 NEW YORK (STYLIZED), but also by the various respective BOND circular logos which feature the brand name of each of the fragrances in the fragrance line. Annexed as Exhibit A is an image showing the various BOND circular logos that are used by Opposer in the sale of its fragrances (hereinafter collectively the "BOND CIRCULAR LOGOS"). The BOND CIRCULAR LOGOS, individually and as a group, are and have become distinctive of Opposer's fragrances.

12. Indeed, Opposer also sells a fragrance under the mark EAU DE NEW YORK, on which fragrance bottle all of the various BOND CIRCULAR LOGOS are featured:



13. As a result of Opposer's continuous and highly publicized use of the BOND Marks and the BOND CIRCULAR LOGOS in connection with Opposer's goods, the public has come to associate the BOND Marks and the BOND CIRCULAR LOGOS with Opposer and Oppser's goods.

14. Opposer has expended considerable amounts of time, effort and money in promoting the BOND Marks and the BOND CIRCULAR LOGOS. The BOND Marks and the BOND CIRCULAR LOGOS are assets of substantial value and symbolize the goods offered under the mark. Substantial goodwill exists in the marks.

15. Applicant is the record owner of the following trademark application on the Principal Register of the USPTO:

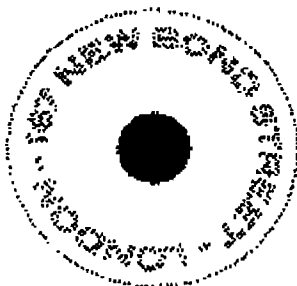
MARK	GOODS	APPLN. NO.	FILING DATE
167 NEW BOND STREET - LONDON - (Stylized)	Perfumes; toilet waters; preparations for the bath, namely, bath gels and bath oils; lip balm; body cream; body powder; beauty masks; cold cream, hand cream, night cream, eye cream; skin conditioners; skin lotions, body lotions; skin moisturizers; baby powder; baby oil; nail-care	76/570,501	January 13, 2004 Priority Filing Date: October 10, 2003

MARK	GOODS	APPLN. NO.	FILING DATE
	<p>preparations; sun screen preparations, and after-sun lotions; cosmetics, namely, foundation, concealers, blush, rouge, eyebrow pencils, eyeliner, lipstick, lip gloss, lip liner, mascara, nail polish, nail-polish remover, cosmetic face powder; compacts containing makeup, and makeup remover; soaps; essential oils for personal use; hair lotions; hair-care preparations; non-medicated cleaning preparations for personal hygiene purposes, namely, skin cleansers, facial cleansers, body scrubs, facial scrubs, and facial masks; antiperspirants; dentifrices; shaving preparations; after-shave lotions; potpourri (Cl. 3); Kitchen cutlery, namely, table knives, forks and spoons; knives, namely, paring knives, butcher knives, chef's knives, cleavers, bread knives, hunting knives, fishing knives, pocket knives, penknives, and machetes; boxes specially designed for storage of kitchen cutlery; cheese slicers; manicure and pedicure sets sold complete; nail files; nail clippers; fingernail buffers; hand tools, namely, crimping irons, curling tongs, cuticle nippers, cuticle tweezers, and sugar tongs; razors; electric and non-electric razors; egg slicers; non-electric vegetable and fruit peelers, and strainers; scissors (Cl. 8); Eyeglasses; sunglasses; sunglass and eyeglass frames; sunglass and eyeglass cases, cords and chains; binoculars; magnifying glasses (Cl. 9); Semi-precious gemstones; precious gemstones; watches, clocks and chronographs for use as watches, and parts and fittings for all the aforesaid; jewelry and imitation jewelry; statutes of precious metal; cufflinks; tie pins and dress studs (Cl. 14); Articles of leather or of imitation leather, namely, luggage; luggage trunks; traveling bags; briefcases; attache cases; garment bags for carrying suits; hand bags; purses; pocket wallets; vanity cases sold empty; business and calling card cases sold empty; leather key fobs; leather pouches; umbrellas; parasols; shooting sticks,</p>		NO ALLEGATION OF USE

MARK	GOODS	APPLN. NO.	FILING DATE
	<p>namely, combined walking stick and seat; walking sticks; whips, harnesses and saddlery; tie cases; satchels; dog collars; dog leashes (Cl. 18); Clothing for men, women and children, namely, socks, stockings, lingerie, nightgowns, brassieres, panties, knickers, overalls, tops, vests, undershirts, underpants, pajamas, bathrobes, swim wear, trousers, shorts, skirts, slacks, blouses, shirts, T-shirts, sweaters, waistcoats, shawls, pullovers, cardigans, jerseys, leotards, jackets, blazers, suits, tuxedos, ties, cravats, overcoats, coats, hunting jackets, track suits, raincoats, gloves, suspenders, belts, stoles, boas, parkas, capes and ponchos; footwear; headgear, namely hats, scarves, kerchiefs, caps, and headbands (Cl. 25); Toys, games and playthings, namely, archery equipment, namely, open and non-telescopic bow sights, arrows and bow cases; badminton game playing equipment, backgammon game sets; cricket balls and bats; billiard game playing equipment; equipment sold as a unit for playing board games; equipment sold as a unit for playing card games; pool cue cases; dart-board cases; gaming equipment, namely, chips; golf clubs; golf bags; darts; waterfowl hunting decoys; electric action toys; volleyball game playing equipment; manually operated exercise equipment; fencing equipment, namely, foils, gauntlets and masks; fishing rods; hunting game calls; horseshoes for recreational purposes; jigsaw puzzles; kites; musical toys; coin or non-coin-operated pinball machines; porcelain dolls; tennis, racquetball and squash rackets; stuffed toy animals; teddy bears; golf tees; tennis, racquetball and squash balls; tennis, racquetball and squash covers; exercise treadmills; exercise trampolines; equipment for playing ticktacktoe; chess sets, mahjong sets; decorations for Christmas trees (Cl. 28); and Retail department store services; computerized online retail store services and mail-order, telephone-order, and facsimile-order</p>		

MARK	GOODS	APPLN. NO.	FILING DATE
	catalog services, all in the field of general merchandise (Cl. 35).		

16. A representation of Applicant's Mark is shown below:



A copy of the U.S.P.T.O. trademark database record showing the particulars of said application is annexed as Exhibit B and made a part hereof.

17. The application to register Applicant's Mark was filed on January 13, 2004. The application claimed priority of an earlier filed foreign application, which foreign application was filed October 10, 2003.

18. Applicant's Mark is nearly identical to Opposer's valuable BOND Marks and the BOND CIRCULAR LOGOS.

19. The channels of trade in which Opposer sells its goods under its BOND Marks and the BOND CIRCULAR LOGOS are identical or nearly identical to those in which Applicant will sell or sells its goods under Applicant's Mark.

20. Applicant's Mark is confusingly similar to Opposer's BOND Marks and the BOND CIRCULAR LOGOS as to be likely, when used on or in connection with the goods of the respective parties, to cause confusion, or to cause mistake, or to deceive the industry or the public or both. The

industry or the public or both are likely to confuse Applicant's goods with the goods of Opposer. The industry or the public or both are likely to believe that Applicant or its goods are associated, sponsored, or endorsed by Opposer, when in fact that is not the case. The industry or the public or both are likely to believe that Applicant is Opposer, when in fact that is not the case.

21. Both Opposer's BOND Marks and BOND CIRCULAR LOGOS, on the one hand, and Applicant's Mark, on the other, use the dominant term "BOND."

22. Both Opposer's BOND NO. 9 NEW YORK (STYLIZED) mark and BOND CIRCULAR LOGOS, on the one hand, and Applicant's Mark, on the other, use a geographical term or reference.

23. Both Opposer's BOND CIRCULAR LOGOS, on the one hand, and Applicant's Mark, on the other, use an image of a circular logo.

24. Applicant has yet to commence use of Applicant's Mark in commerce.

25. Applicant did not use Applicant's Mark in commerce as of January 13, 2004, the date Applicant filed its application at the USPTO.

26. Opposer has been using the BOND Marks and the BOND CIRCULAR LOGOS since well prior to Applicant's constructive first use date of January 13, 2005.

27. Opposer has been using the BOND Marks and the BOND CIRCULAR LOGOS since well prior to Applicant's priority date of October 10, 2003.

28. Opposer has been using the BOND Marks and the BOND CIRCULAR LOGOS prior in time to Applicant.

29. At least for the above reasons, Opposer would be damaged if registration of the Applicant's Mark were granted.

WHEREFORE, Opposer requests that registration of the mark 167 NEW BOND STREET - LONDON - (STYLIZED) of Application Serial No. 76/570,501 be refused and that this opposition be sustained.

Dated: New York, New York
November 9, 2005

Respectfully submitted,

GOTTLIEB, RACKMAN & REISMAN, P.C.

By: 

George Gottlieb
Maria A. Savio
Barbara H. Loewenthal
Attorneys for Petitioner
270 Madison Avenue
New York, NY 10016-0601
(212) 684-3900

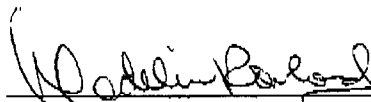
Enclosures:

1. Check in the amount of \$300.00
2. Prepaid, self-addressed postcard

CERTIFICATE OF MAILING

I hereby certify that this NOTICE OF OPPOSITION is being deposited with the United States Postal Service as first class mail in a postage prepaid envelope addressed to: Commissioner for Trademarks, BOX TTAB - FEE, P.O. Box 1451, Alexandria, VA 22313-1451, on November 9, 2005.

Dated: New York, New York
November 9, 2005


Madelin Rowland

S:\MAS\Laurice-Asprey opp.wpd

Exhibit A

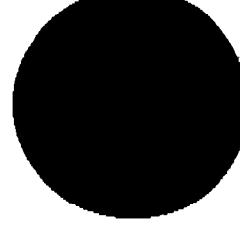
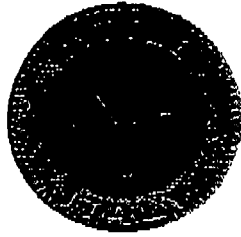
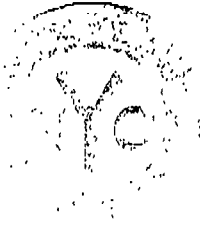
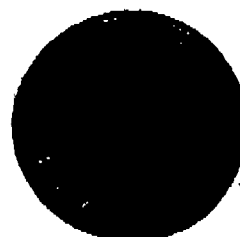
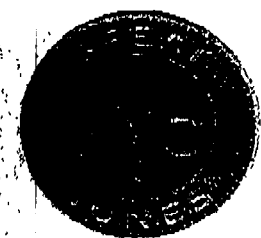
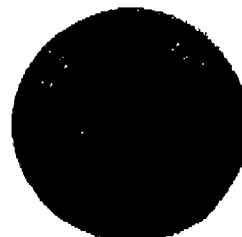
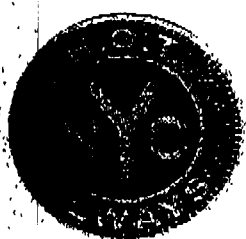


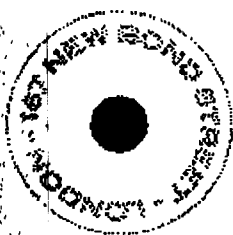
Exhibit B

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Goods and
Services**

167 NEW BOND STREET - LONDON -

IC 003. US 001 004 006 050 051 052. G & S: Perfumes; toilet waters; preparations for the bath, namely, bath gels and bath oils; lip balm; body cream; body powder; beauty masks; cold cream, hand cream, night cream, eye cream; skin conditioners; skin lotions, body lotions; skin moisturizers; baby powder; baby oil; nail-care preparations; sun screen preparations, and after-sun lotions; cosmetics, namely, foundation, concealers, blush, rouge, eyebrow pencils, eyeliner, lipstick, lip gloss, lip liner, mascara, nail polish, nail-polish remover, cosmetic face powder; compacts containing makeup, and makeup remover; soaps; essential oils for personal use; hair lotions; hair-care preparations; non-medicated cleaning preparations for personal hygiene purposes, namely, skin cleansers, facial cleansers, body scrubs, facial scrubs, and facial masks; antiperspirants; dentifrices; shaving preparations; after-shave lotions; potpourri

IC 008. US 023 028 044. G & S: Kitchen cutlery, namely, table knives, forks and spoons; knives, namely, paring knives, butcher knives, chef's knives, cleavers, bread knives, hunting knives, fishing knives, pocketknives, penknives, and machetes; boxes specially designed for storage of kitchen cutlery; cheese slicers; manicure and pedicure sets sold complete; nail files; nail clippers; fingernail buffers; hand tools, namely, crimping irons, curling tongs, cuticle nippers, cuticle tweezers, and sugar tongs; razors; electric and non-electric razors; egg slicers; non-electric vegetable and fruit peelers, and strainers; scissors

IC 009. US 021 023 026 036 038. G & S: Eyeglasses; sunglasses; sunglass and eyeglass frames; sunglass and eyeglass cases, cords and chains; binoculars; magnifying glasses

IC 014. US 002 027 028 050. G & S: Semi-precious gemstones; precious gemstones; watches, clocks and chronographs for use as watches, and parts and fittings for all the aforesaid; jewelry and imitation jewelry; statuettes of precious metal; cufflinks; tie pins and dress studs

IC 018. US 001 002 003 022 041. G & S: Articles of leather or of imitation leather, namely, luggage; luggage trunks; travelling bags; briefcases; attache cases; garment bags for carrying suits; hand bags; purses; pocket wallets; vanity cases sold empty; business and calling card cases sold empty; leather key fobs; leather pouches; umbrellas; parasols; shooting sticks, namely, combined walking stick and seat; walking sticks; whips, harnesses and saddlery; tie cases; satchels; dog collars; dog leashes

IC 025. US 022 039. G & S: Clothing for men, women and children, namely, socks, stockings, lingerie, nightgowns, brassieres, panties, knickers, overalls, tops, vests, undershirts, underpants, pajamas, bathrobes, swimwear, trousers,

shorts, skirts, slacks, blouse, shirts, T-shirts, sweaters, waistcoats, shawls, pullovers, cardigans, jerseys, leotards, jackets, blazers, suits, tuxedos, ties, cravats, overcoats, coats, hunting jackets, track suits, raincoats, gloves, suspenders, belts, stoles, boas, parkas, capes and ponchos; footwear; headgear, namely hats, scarves, kerchiefs, caps, and headbands

IC 028. US 022 023 038 050. G & S: Toys, games and playthings, namely, archery equipment, namely, open and non-telescopic bow sights, arrows and bow cases; badminton game playing equipment, backgammon game sets; cricket balls and bats; billiard game playing equipment; equipment sold as a unit for playing board games; equipment sold as a unit for playing card games; pool cue cases; dart-board cases; gaming equipment, namely, chips; golf clubs; golf bags; darts; waterfowl hunting decoys; electric action toys; volleyball game playing equipment; manually operated exercise equipment; fencing equipment, namely, foils, gauntlets and masks; fishing rods; hunting game calls; horseshoes for recreational purposes; jigsaw puzzles; kites; musical toys; coin or non-coin-operated pinball machines; porcelain dolls; tennis, racquetball and squash rackets; stuffed toy animals; teddy bears; golf tees; tennis, racquetball and squash balls; tennis, racquetball and squash covers; exercise treadmills; exercise trampolines; equipment for playing ticktacktoe; chess sets, mahjong sets; decorations for Christmas trees

IC 035. US 100 101 102. G & S: Retail department store services; computerized online retail store services and mail-order, telephone-order, and facsimile-order catalog services, all in the field of general merchandise

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code 260108 260117 260121
Serial Number 76570501
Filing Date January 13, 2004
Current Filing Basis 44E
Original Filing Basis 1B;44D
Published for Opposition July 12, 2005
Owner (APPLICANT) ASPREY HOLDINGS LIMITED CORPORATION UNITED KINGDOM 167 New Bond Street London W1S 4AR UNITED KINGDOM
Attorney of Record Glenn A. Gundersen
Priority Date October 10, 2003
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "London" APART FROM THE MARK AS SHOWN
Type of Mark TRADEMARK. SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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Date 11/9/05 Atty BHL:mr

Re: Laurice El Badry Rahme Ltd. dab Laurice & Co. /
Asprey Holdings Limited Corp.
Notice of Opposition Against Application 76/570,501

Client/Matter (Docket) No. 4543/73 Case No. _____

S/N _____ R/N _____ P/N _____

Title or Description of Enclosures Notice of Opposition; Filing fee
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dated 11/9/05.

The stamp of the Patent Office mailroom hereon indicates receipt of the identified document(s) on the date of such stamp.

Gottlieb, Rackman & Reisman, P.C.

GOTTLIEB, RACKMAN & REISMAN, P.C., ATTORNEYS AT LAW

60813

1316 Commissioner of Patents & Trademarks

11/09/05

60813

Invoice Number and Date
11/09/05 Filing fee-Notice of Opposition 4543/73

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GOTTLIEB, RACKMAN & REISMAN, P.C.
ATTORNEYS AT LAW
PROFESSIONAL BUSINESS ACCOUNT
270 MADISON AVENUE, NEW YORK, NY 10016-0601

VALLEY NATIONAL BANK
MERCHANTS BANK DIVISION
275 MADISON AVE., NY NY 10016

65-138/212

60813

NUMBER

DATE
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4543/73

GOTTLIEB, RACKMAN & REISMAN, P.C.**270 Madison Avenue, 8th Floor
New York, New York 10016-0601****Telephone: (212) 684-3900****Fax: (212) 684-3999****FACSIMILE COVER SHEET**

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TO: Attn: Tamika Whitley**COMPANY:** U.S. Patent and Trademark Office, TTAB**FAX NO.** (571) 273-4321**FROM:** Barbara Loewenthal, Esq. [M. Rowland]

We are sending a communication of **17** page(s) (including this cover sheet). Please call (212) 684-3900 immediately if transmission is interrupted or of poor quality.

12/1/05

4543/73

MESSAGE:

Re: Laurice El Badry Rahme Ltd. dba Laurice & Co./Asprey Holdings Limited Corp.
Mark: 167 NEW BOND STREET - LONDON - (Stylized)
Serial No. 76/570,501

Dear Ms. Whitley:

Further to our telephone conference and as requested, enclosed is a copy of the Notice of Opposition with cover letter and certificate of mailing dated November 9, 2005.

Very truly yours,


Barbara H. Loewenthal

I hereby certify that this correspondence is being
faxed to the: Tamika Whitley at the
Commissioner for Trademarks,
Box TTAB - No Fee, P.O. Box 1451,
Alexandria, VA 22313-1451, fax number
(571) 273-4321 on 12/1/05.


Madelin Rowland